

The Guthrie Daily Leader.

OFFICIAL ORGAN OF OKLAHOMA DEMOCRACY.

OFFICE OF PUBLICATION, HARRISON AVENUE.

VOL. 5

GUTHRIE, OKLAHOMA, THURSDAY MORNING, JANUARY 31, 1905.

NO. 51

LEGISLATION STILL MOVES.

BUSINESS IN BOTH BRANCHES LOOKING UP.

REV. QUEEN IS BEING "ROASTED."

The House Devotes Much Time to a Resolution Concerning the Course of Rev. Queen. The Work in Both Houses Goes Merely On—Nothing of an Important Nature Has Been Transferred Up to Date.

Council.

The council lost no time in getting down to business yesterday morning. After the chaplain had invoked blessings on the clerk proceeded with the reading of the journal.

Mr. Scott offered concurrent resolution No. —, authorizing the governor to contract with some responsible firm for the care of the insane of Oklahoma for a period of not exceeding five years, at the same rate as is now paid to the Jacksonville asylum; provided that the territory should be at no expense for the transportation from Jacksonville to the new asylum. Mr. Scott thought it important that the matter should receive immediate attention.

Mr. Doon was also anxious to have the matter brought before the council, the resolution passed, and the insane brought back to the territory.

Mr. Boles was in favor of the insane being cared for at home, but he saw no reason why the matter involving so great an expense should be rushed through before the committee had a chance to consider it. The resolution was referred to the ways and means committee.

Several bills were read the second time and referred to committees.

Council bill 41, relating to emblems and badges, was taken up on the third reading, and Mr. Orser arose to explain that it was no pet measure of his, but he thought it a good one, and he wanted to see it pass because his constituents had asked for its passage. Under a suspension of the rules the bill was placed upon its final passage. After slight amendments, the bill was passed by a vote of 8 to 5.

Mr. Prouty introduced council bill 83, an act to define and punish frauds upon hotel, inn, boarding and eating house keepers, and council bill 85, defining the rights and liabilities of hotel, inn and eating house keepers.

Mr. Doon offered council bill 86, to provide for the leasing of public school lands.

These three bills were read the second time under the suspension of the rules, and were referred, the first two, to the committee on school lands, and the last to the committee on county affairs.

The committee on county affairs recommended the passage of council bill 75.

The conference committee reported back the free homes resolution with an amendment, and the report was adopted.

House.

Twenty-five members answered to the roll call, Mr. Elliott of Kay county, being absent.

The judiciary committee reported adversely on house bills 34 and 67, and favorably on bills 76 and 96. They also reported house bill No. 129 as a substitute for part of house bill No. 75 and recommended that same do pass.

The committee on criminal jurisprudence reported favorably on house bill No. 100, defining train robbery and providing a punishment therefor, and also on bill 68.

Bills were introduced as follows:

No. 121, by DeFord, an act to amend several sections of the chapter on schools, relating mostly to the duties of county superintendent.

No. 122, by St. John, an act making railway companies liable for damages done to persons or property.

No. 123, by Little, to provide for the vacation of townsite plats in certain cases, all claimants being willing.

No. 124, by Boyer, repealing section 52, article 9, chapter 17 of the statutes.

No. 125, by Boyer, prohibiting territorial, county, city, township or other officers from speculating in bonds, warrants or other evidences of indebtedness.

Mr. Boyer offered a resolution declaring President Cleveland's recent message to congress to be against the best interests of the country and memorializing congress not to grant the request for more bonds. Mr. Lowery said he doubted if 5 members of the house had read the resolution, that he thought the members had enough to do to attend to the business of the territory and when congress needed their assistance they could send for them. Even the Republican house could not stomach such tomfoolery as this resolution and voted it down by a vote of 15 to 7.

Kneipe, of Payne county, introduced a memorial to congress asking that the local government be permitted to tax Indian allotments, as the Indian received as much benefit from said government as the white man and

should pay his share of the expenses. The resolution was ordered printed and laid over for future action.

A resolution was introduced denouncing the statement of Rev. Queen that thirty members attended a banquet in a saloon as false, as only three members of the house and none of the senate were there.

Mr. Little favored the adoption of the resolution as a protection to the minister's congregation, who would otherwise be misled by such false statements.

Kneipe declared that it was probable that the reporter erred in reporting the statement in question.

Little said he had been a reporter once, but never a minister; but from observation believed the latter erred as often as the former.

Barnes said it was probable that Rev. Queen had been misled by statements in the public press that a large number of the members were present at the banquet in question.

Walling said that he not only stated that thirty members were at the banquet, but that he had been informed that a minister should know whereof he spoke when making such statements, for if truth should be expected any place it was from the pulpit.

Nesbitt said that he had been informed that the minister was misquoted, but he did not think the matter of much importance.

Mason did not usually take notice of things said about him, but the reverend gentleman had accused the legislature of being intimidated and controlled by the saloon element and he thought such false assertions should be refuted.

Mr. Lowery said he was at the banquet, saw nothing wrong and did not care much about the matter. If the reverend gentleman was guilty of making this false accusation, the papers were equally guilty in circulating it and the resolution should include them if they were to be passed for strong effect.

Mr. Smith favored the resolution as a minister called to preach Christ was out of his field when criticizing the legislature and circulating false statements about them—he should be sure of the truth of any statement before he repeated it in the pulpit.

Mr. St. John said the reverend gentleman desired to be sensational and had let his mouth run away with him and when a minister did this he deserved to be "roasted."

Mr. Brown, of Seward, said the Rev. Queen must certainly have been misled by somebody for he was satisfied that he was not at the banquet himself to get his information. He therefore moved to lay over the resolution and have a committee of three appointed to investigate the whole matter and see who was to blame.

Messrs. Smith, Sutton and Kneipe opposed this and declared it folly to waste any more time on the matter, the statements did not hurt anybody and were really not worth paying any attention to; the legislature had much better be pushing the work before them. On motion of Mr. Kneipe the whole matter was tabled.

A message was received from the council that President Pitzer had signed house joint resolution No. 4, and transmitting council bills Nos. 51 and 59, and house bill No. 7 which had passed the council.

House bill No. 7 is St. John's measure relating to the obstructing of streets and highways, and the council amendments to same were concurred in by the house.

A further message was received that the council had adopted the report of the conference committee on the free homes memorial and the same was taken up and adopted by the house.

The house went into a committee of the whole on Mr. Brown's bill legalizing the incorporation of all villages, towns and cities; adopted same and recommended its passage, which took place under suspension of the rules.

Mr. Sutton introduced house bill No. 126, an act to amend section 723, article 3 of chapter 15.

Afternoon.

Speaker Barnes signed council joint resolution No. 4, ordering an investigation of the Oklahoma agricultural and mechanical college.

Bills passed second reading and were referred as follows:

No. 112, to judiciary committee.

No. 113, to "

No. 114, to ways and means committee.

No. 115, to judiciary committee.

No. 116, to ways and means committee.

No. 117, to municipal corporation committee.

No. 118, to criminal jurisprudence committee.

No. 119, to judiciary committee.

A resolution was introduced by Mr. Nesbitt censuring the reporter of a certain Populist organ for an attack on Senator Fegan and declaring it the intention to refuse such reporter access to the press table in case of a repetition of the offense. On motion of Mr. Lowery the bill was tabled.

Mr. Hendrix introduced house bill No. 127, an act to amend section 31, article 2 of chapter 2 of the statutes. The resolution memorializing the secretary of agriculture to change the quarantine line was taken up and read

to be placed on its passage. Little, St. John and several other members insisting, however, that the resolution had passed several days previous. It was adopted by a vote of 25 to 1.

The house went into the committee of the whole to consider bills on the calendar.

The first bill failed was No. 28, by Mr. Hendrix, an act to legalize probate court divorces.

The bill provides that all decrees of divorce heretofore granted by the probate courts of the various counties of this territory prior to the passage of this act, be and the same are hereby declared legal and the acts of said court in the hearing of said divorce proceedings and the rendering of judgment and decree therein and all the orders of said courts in said divorce proceedings, whether temporary or final, are hereby ratified and declared legal and valid in all respects.

Lowery, chairman of the judiciary committee, opposed the passage of this bill because he believed it would have no effect unless ratified by congress.

St. John said he believed that the decision of the supreme court was erroneous and that these divorces were really legal, but as long as it stood it was binding and he would vote for the bill to relieve these people.

Nesbitt moved to amend the bill asking congress to ratify it but this was voted down.

McCoy offered an amendment giving probate courts the right to grant divorces in the future. Lost.

After a discussion lasting an hour and a half the bill was recommended for passage.

Age of Consent.

Elliott's house bill No. 19 was next taken up. This bill elicited considerable discussion and is attracting attention all over the territory.

The bill in full, is as follows: Be it enacted by the Legislative Assembly of the Territory of Oklahoma:

Paragraph 2169. Rape is an act of sexual intercourse accomplished with a female, not the wife of the perpetrator, under either of the following circumstances:

First—Where the female is under the age of sixteen years.

Second—Where she is incapable through lunacy, or any other unsoundness of mind, whether temporary or permanent, of giving legal consent.

Third—Where she resists, but her resistance is overcome by force or violence.

Fourth—Where she is prevented from resisting by threats of immediate and great bodily harm, accompanied by apparent power of execution.

Fifth—Where she is prevented from resisting by any intoxicating, narcotic or anesthetic agent administered by, or with the privy of, the accused.

Sixth—Where she is at the time unconscious of the nature of the act, and this is known to the accused.

Seventh—Where she submits under a belief that the person committing the act is her husband, and this belief is induced by artifice, pretense or concealment practiced by the accused with intent to induce such belief.

Paragraph 2163. Rape committed upon a female under the age of fourteen years, or incapable through lunacy or any other unsoundness of mind, or giving legal consent, or accomplished by means of force overcoming her resistance, is rape in the first degree.

The judiciary committee, to whom the bill had been referred, reported a substitute for it, killing all of paragraph 2169, and modifying paragraph 2163, by reducing the age from 14 to 12 for rape in the first degree.

Mason moved to adopt the substitute reported by the committee.

Boyan, Smith, Barnes, Spencer and Brown of Edmond all expressed themselves in favor of the original bill.

Elliott said that he had prepared the bill and hoped it would pass. Oklahoma did not want to go before the world as reducing the age of consent to 12 and 14 years. Girls at the age of 14 did not, as a rule, know enough of the routine of the act to be held responsible and made the prey of men.

Walling cautioned the members to remember the storm of indignation that was aroused in Kansas by the adoption of just such a measure as the substitute.

The motion to adopt the substitute was defeated by an overwhelming majority.

Mr. Vickers moved to strike out specification seven as he did not see how any such decent could be practiced and it might lead to abuses.

Mr. Kneipe said he considered this one of the best parts of the bill and a provision much needed.

Mr. Elliott said anybody familiar with the records of the courts knew that there were many innocent girls ruined under cover or pretense of secret marriages, often bogus.

Mr. Barnes thought the provision one badly needed to defeat the lending of young girls into bogus marriages which they believed to be all right.

Mr. St. John thought the paragraph too indefinite.

Mr. Walling said that as a physician he knew this provision to be needed badly as there were many cases of ruin wrought in this way that never came into the courts.

Mr. Vickers motion to strike out was defeated and he then became fractious and moved to make the age of consent 10 years. Voted down.

Spencer moved to make the age governing rape in the first degree sixteen

Continued on page 4.

POULTRY SHOW.

Many Fine Fowls Are Now on Exhibition at the Poultry Show.

The territorial poultry show now in progress corner Harrison avenue and Second street is proving to be a grand success in every way. It was not known that there were so many fanciers in the territory and the interest manifested is very great. Many visitors coming from a distance.

About thirty pens of fine fowls of different varieties are on exhibition and some are pronounced by experts to be the very best.

The show will continue today and tomorrow and every citizen of Guthrie should visit it.

Court House and Jail Idea.

Hon. C. G. Jones' visit to Guthrie yesterday was to get a bill introduced allowing the counties of 20,000 and more population to vote bonds for the purpose of building court houses, jails, purchasing poor farms, etc. His idea is that Oklahoma county could very well afford to issue \$50,000 and build a good court house and jail. The bonds could be floated at 6 per cent which would amount to some \$3,000 per annum, half of which, by the proper management, could be obtained from the government in rents, care of prisoners, etc.—Oklahoma City Oklahoman.

For an expert tree and vine trimmer address "Tree," Leader office. 12

Awarded Highest Honors—World's Fair.

DR.

PRICE'S CREAM BAKING POWDER

MOST PERFECT MADE

A pure Grape Cream of Tartar Powder. Free from Alkaline, Alum or any other adulterant. 40 YEARS OF STANDARDS

Board of Trade.

Owing to the cold weather and other matters the attendance at the board of trade was small last night, and after the transaction of some minor business, the board adjourned.

For Trade—Two good corner lots, two blocks from the West Guthrie school, for one or two lots, closer in. Call at or address 416 West Mansur. 2

For Sale.

Drug store situated in one of the best towns in Oklahoma; will involve about \$2,000; easy terms, and very best reason given for selling. This is an opportunity of a life time. All new stock. Address, P. H. W., care Daily Leader, Guthrie, O. T. 13113

Cheapest Place in Town.

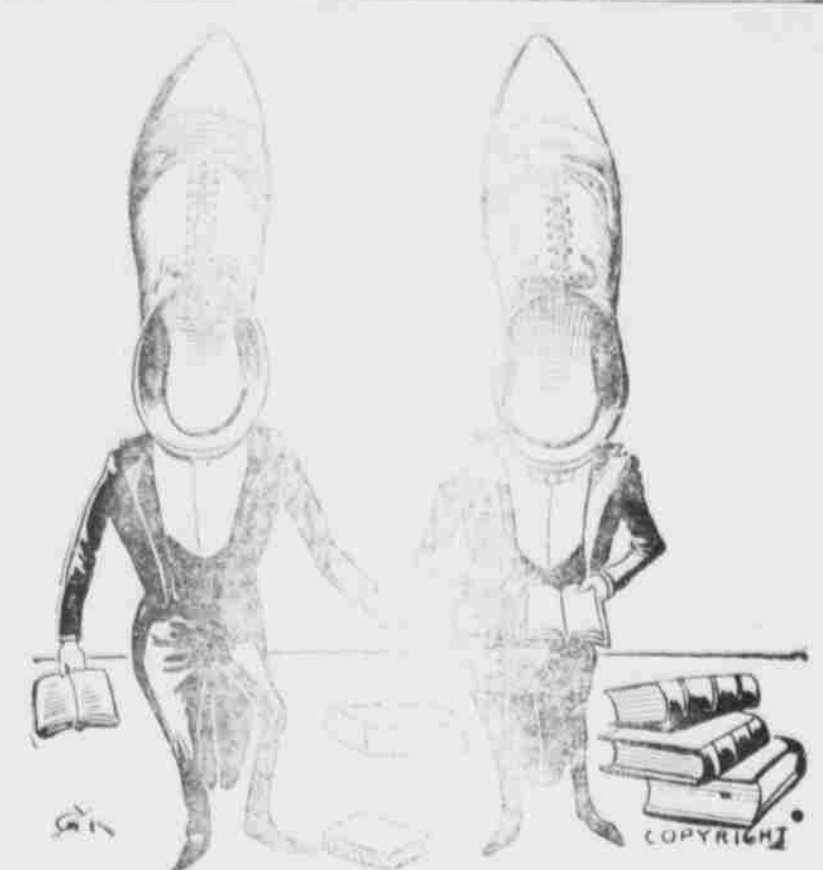
HIRZEL BROS.

Dealers in

Groceries, Provisions, Crockery, Queensware, Tinware and

WOOD

111 North Second St. German and English Spoken.



Our Shoes Speak Volumes For Themselves; volumes filled with pertinent points; all the points are well taken, too, and so secure plenty of takers for our shoes. Such shoe oratory is irresistible and presents a multitude of foot notes well worth studying. It's courtship health to house the feet comfortably in a pair of our shoes that are always the very idea for the season, the correct thing in style, and the "just the thing I want" brand for every body. What a shoe ought to be is just what our shoes are, and just what ought to cost is what our shoes do cost.

Eisenschmidt & Hetsch.

EXCLUSIVE SHOE DEALERS

118 OKLAHOMA AVE. WEST.

REPAIRING NEATLY DONE



Marked Down!

ALL

KINDS OF HEATING

STOVES

TO BED ROCK PRICES.

Spencer Hardware Co.

The Mistletoe Bar

Cor. Oklahoma Ave., and Division.

One Block From Hotel Royal.

Caters to the Best Trade Only. Best Goods In Stock all the Time.

Hamilton, & CO.

Weicker & Fairfield Transfer and Coal Co.

GOAL CANON CITY FRONTENAC MALESTER ANTHRACITE COAL

Harrison Ave., West of Depot.

Satisfaction Guaranteed. Telephone No. 26. Your Orders Solicited.

ST. MARY'S INSTITUTE, A Boarding and Day School for Young Ladies and Girls, COLLEGE HILL, DALLAS, TEXAS.

Sixth year. Founded by the Rt. Rev. A. C. Garrett, bishop of northern Texas, and under his supervision. Will open Sept. 12, 1894. College and Preparatory Courses. Class and Higher Mathematics in charge of graduates of Wellesley College and University of Toronto. Departments of Music and Art under direction of the best instructors, trained in Germany, England and New England Conservatory of Music. Elocution taught by graduate of the Emerson School of Oratory, Boston. Terms, for tuition, including ancient and modern languages and all English branches, board, fuel, light, washing, \$2.00 per annum. Music, Art, Elocution, extra charges. For catalogues and further information address MISS TORBERT, Principal, St. Mary's Institute, Dallas.

N. F. CHEADLE COAL COMPANY WHOLESALE AND RETAIL DEALER IN

CANON CITY, FRONTENAC, WEIR CITY, MALESTER, OSAGE.

And sole agent for the famous Ruby Coal of Arkansas. Prompt Delivery at all times. Office and yard 42 1/2 Oklahoma ave.

TELEPHONE NO. 6.